

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF AGRICULTURE

- 1. Title and its heading:** Title 3. Agriculture

Chapter and its heading: Chapter 3. Department of Agriculture - Environmental Services Division

Article and its heading: Article 1. General Provisions

Article 2: Permits, Licenses and Certification

Article 3: Requirements for Pesticide Use, Sales and Equipment

Article 4: Recordkeeping

Article 5: Nonexclusive Lists of Serious, Nonserious and De Minimis Violations

Section numbers: All
- 2. Subject matter of the proposed rules:**

This rulemaking affects the Department's pesticide program by updating the language associated with the mentioned articles, clarifying language that is ambiguous, amending definitions to comply with statute, and amending violation language.
- 3. A citation to all published notices relating to the proceeding:**

None
- 4. Name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Ross Rodgers, Rule Writer

Address: Arizona Department of Agriculture

1688 West Adams, Room 235

Phoenix, Arizona 85007

Telephone: (602) 542-0962

Fax: (602) 542-5420
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Written comments: 8:00 a.m. through 5:00 p.m., Monday through Friday

Oral comments: 8:00 a.m. through 4:30 p.m., Monday through Friday

Location: Arizona Department of Agriculture

1688 West Adams, Room 235

Phoenix, Arizona 85007
- 6. A timetable for agency decisions or other action in the proceeding:**

None

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DEPARTMENT OF TRANSPORTATION - MOTOR VEHICLE DIVISION

1. **Title and its heading:** 17, Transportation
Chapter and its heading: 3, Department of Transportation - Highways Division
Article and its heading: 9, Highway Traffic Control Devices
Section numbers: R17-3-902
2. **Subject matter of the proposed rule:**
The Department previously filed a Notice of Rulemaking Docket Opening and a Notice of Proposed Rulemaking on this rule. Under A.R.S. § 41-1021(A)(4), a rulemaking proceeding is pending until "One year after the notice of the proposed rule making is published in the register if the agency has not submitted the rule to the council for review and approval." More than one year has passed since the Notice of Proposed Rulemaking was published. The Department has not submitted the rule to the council for review. In order to comply with Arizona Administrative Procedures Act, the Department is opening a new docket on this rule. The Department does not anticipate making any changes to the proposed rule that was filed under any previous docket.

This Notice of Rulemaking Docket Opening supercedes any prior expired or valid docket on this rule.
3. **A citation to all published notices relating to the proceeding:**
None
4. **The name and address of agency personnel to whom persons may communicate regarding the rule:**
Name: Wendy S. LeStarge, Rules Analyst
Address: 3737 North Seventh Street, Suite 160
Phoenix, Arizona 85014
Telephone: (602) 712-6007
Fax: (602) 241-1624
E-Mail: wlestarge@dot.state.az.us
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Oral or written comments will be accepted at the location listed in question #4, between 8:00 a.m. and 4:30 p.m., Monday through Friday.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be determined

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF TRANSPORTATION - MOTOR VEHICLE DIVISION

1. **Title and its heading:** 17, Transportation
Chapter and its heading: 4, Department of Transportation - Motor Vehicle Division
Article and its heading: 2, Titles and Registration
Section numbers: R17-4-240
2. **Subject matter of the proposed rule:**
The rule's purpose is to define the bond amount required for motor vehicle dealers and motor vehicle recyclers. The rule's text will be changed to reflect the language standards of the Secretary of State and the Governor's Regulatory Review Council. The rule's provisions will be changed to reflect current bond requirements and amounts.
3. **A citation to all published notices relating to the proceeding:**
None published

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4. The name and address of agency personnel to whom persons may communicate regarding the rule:

Name: Ellen Damron, Rules Analyst
Address: 3737 North Seventh Street, Suite 160
Phoenix, Arizona 85014
Telephone: (602) 712-6722
Fax: (602) 241-1624
E-Mail: edamron@dot.state.az.us

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Oral and written comments will be accepted at the location listed in #4, between 8:00 a.m. and 5:00 p.m., Monday through Friday.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be determined

NOTICE OF RULEMAKING DOCKET OPENING

BANKING DEPARTMENT

1. Title and its heading: 20, Commerce, Banking, and Insurance

Chapter and its heading: 4, Banking Department

Article and its heading: 1, General

Section numbers: R20-4-102

2. Subject matter of the proposed rule:

This docket opening revives a proceeding originally announced by the Docket Opening described in paragraph 3 of this notice.

This rule will amend the existing definition of the term "Employee" found at Title 20, Chapter 4, subsection R20-4-102(12). The rule, as amended, will more accurately reflect the modern business practice of using leased employees.

3. A citation to all published notices relating to the proceeding:

Notice of Rulemaking Docket Opening: 5 A.A.R. 2266, July 16, 1999

Notice of Proposed Rulemaking: 6 A.A.R. 2718, July 21, 2000

Notice of Proposed Rulemaking: 6 A.A.R. 3564, September 15, 2000

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: John P. Hudock
Address: 2910 North 44th Street, Suite 310
Phoenix, Arizona 85018
Telephone: (602) 255-4421, Ext. 167
Fax: (602) 381-1225

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Department will accept written comments during business hours at the address listed in section 4 of this docket opening. Comments are welcome at any time until the close of record. This proceeding will close at 5:00 p.m., mountain standard time, October, 16, 2000. Notice of any opportunity to make public oral comment will be published as required by law.

6. A timetable for agency decisions or other action on the proceeding, if known:

The Department expects to submit a Notice of Final Rulemaking to the Governor's Regulatory Review Council on October 17, 2000, or shortly thereafter.